**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929**

**WP(C).No. 31168 of 2007(I)**
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**PETITIONER:**
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**M/S. SREEJITH BOSE, AGED 31 YEARS,**
**S/O. K.G.CHANDRABOSE, 32/1113, SOUPARNIKA,**
**PALARIVATTOM, KOCHI-682 025.**

**BY ADV. SRI.JOBI JOSE KONDODY**

**RESPONDENT:**
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**THE GEOLOGIST,**
**MINING AND GEOLOGY DISTRICT OFFICE,**
**CIVIL STATION, COLLECTORATE P.O.,**
**KOTTAYAM DISTRICT.**

**BY GOVERNMENT PLEADER SRI.I.V.PRAMOD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ANTONY DOMINIC, J.**

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**W.P.(C) No. 31168 OF 2007 I**
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**Dated this the 22nd October, 2007**

**J U D G M E N T**

Referring to clause 17 of Ext. P1 petitioner has filed Ext. P2. By Ext. P2 he seeks a modification of Ext. P1 permitting him to use the pump and motor for washing ordinary sand. This identical issue has been considered by a Division Bench of this Court in Ext. P3 judgment wherein it has been held that conditions permitting or prohibiting the use of motor and pump can be imposed depending on the facts of each case and that there cannot be a universal imposition of any such prohibition. In view of the position as above, since the petitioner's claim is same as the one considered by this Court in Ext. P3 judgment I dispose of this writ petition directing the respondent to consider Ext. P2 representation filed by the petitioner in the light of Ext. P3 judgment and pass orders thereon as expeditiously as possible, at any rate within four weeks of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the respondent for compliance.

**ANTONY DOMINIC**
**JUDGE**

jan/-